

RICHARD STETZER)	BRB No. 06-0537
)	
Claimant-Petitioner)	
)	
v.)	
)	
LOGISTEC OF CONNECTICUT, INCORPORATED)	
)	
and)	
)	
SIGNAL MUTUAL INDEMNITY ASSOCIATION)	
)	
Employer/Carrier- Respondents)	
)	
RICHARD STETZER)	BRB Nos. 06-0802 and
)	06-0802A
Claimant-Respondent)	
Cross-Petitioner)	
)	
v.)	
)	
LOGISTEC OF CONNECTICUT, INCORPORATED)	DATE ISSUED: 07/16/2007
)	
and)	
)	
SIGNAL MUTUAL INDEMNITY ASSOCIATION)	
)	
Employer/Carrier- Petitioners)	ORDER on MOTION
Cross-Respondents)	for RECONSIDERATION

Claimant has filed a timely motion for reconsideration of the Board's decision in this case, *Stetzer v. Logistec of Connecticut, Inc.*, BRB Nos. 06-537, 06-802/A (January 31, 2007). 33 U.S.C. §921(b)(5); 20 C.F.R. §802.407. Employer responds, urging the Board to deny the motion. Claimant has not established any basis for the Board to modify its decision, as the Board properly affirmed the administrative law judge's decision to exclude three payments from the wage-earning capacity computation in light of substantial supporting evidence. Moreover, the Board properly vacated the administrative law judge's fee award because the administrative law judge did not consider claimant's limited success in addressing the attorney's fee request. Therefore, claimant's motion for reconsideration is denied. 20 C.F.R. §§801.301(c), 802.409.

NANCY S. DOLDER, Chief
Administrative Appeals Judge

ROY P. SMITH
Administrative Appeals Judge

REGINA C. McGRANERY
Administrative Appeals Judge